

**LEGAL ACTION REPORT FOR THE  
TUCSON POLICE AND FIRE PUBLIC SAFETY PERSONNEL  
RETIREMENT SYSTEM BOARDS  
MEETING OF TUESDAY, NOVEMBER 13, 2007  
CITY OF TUCSON FINANCE DEPARTMENT CONFERENCE ROOM  
FIFTH FLOOR OF CITY HALL 255 W. ALAMEDA, TUCSON, AZ  
9:45 A. M.**

**1. ROLL CALL:** Vice Chair Pickens, called the meeting to order.

**Police Board Members:**

Robert Walkup	- Chair	Arrived at 9:46 a.m.
Marion Pickens	- Member	
Joe Ladenburg	- Member	Absent/Excused
Tom Garrison	- Member	
Mike Gurr	- Member	

**Fire Board Members:**

Robert Walkup	- Chair	Arrived at 9:46 a.m.
Marion Pickens	- Member	
Joe Ladenburg	- Member	Absent/Excused
Mike McKendrick	- Member	
Roger Tamietti	- Member	

**2. CANVASS OF ELECTION**

A certified copy of the returns from the Tucson **Police** Public Safety Personnel Retirement System Board Mail Ballot Election held from September 12, 2007 through October 17, 2007 is attached for review and approval.

**MOTION** by Mr. Gurr, seconded by Mr. Kragnes to approve the results of the election and accept the returns from the Police Board Items A – H are adopted and the appropriate action taken. Motion **CARRIED** by a roll call vote of 4-0. (Mr. Ladenburg Absent/Excused).

**3. ROLL CALL** (Newly declared Police Board)

Police Board Members:

Robert Walkup	- Chair	
Marion Pickens	- Member	
Joe Ladenburg	- Member	Absent/Excused
J.D. Kragnes	- Member	
Mike Gurr	- Member	

#### 4. POLICE CONSENT AGENDA: ITEMS A – K

##### A. MINUTES FOR APPROVAL – 10/08/07

B. PENSION PAYROLL – Addition of Normal Service Retirement for Harold A. Goss in the amount of \$4,159.73. Addition of Normal Service Retirement for Gerald (Thomas) Garrison out of DROP in the amount of \$ 3,816.39. Addition of Normal Service Retirement for Marvin L. McEwen out of DROP in the amount of \$2,712.75. Addition of Normal Service Retirement for John Richardson out of DROP in the amount of \$3,179.66. Addition of Normal Service Retirement for Robert Soltero out of DROP in the amount of \$2,872.01. Addition of Permanent Accidental Disability Pension for Frank Kingman out of DROP in the amount of \$3,137.92. Addition of Permanent Accidental Disability Pension for Tim Peterson in the amount of \$2,653.00.

##### C. NORMAL SERVICE RETIREMENT

Gerald Garrison – Last day worked 10/26/07 – Pension effective 11/01/07  
 Harold Goss – Last day worked 10/11/07 – Pension effective 11/01/07  
 Marvin McEwen II – Last day worked 10/25/07 – Pension effective 11/01/07  
 John Richardson– Last day worked 10/30/07 – Pension effective 11/01/07  
 Robert J. Soltero– Last day worked 10/26/07 – Pension effective 11/01/07

##### D. PERMANENT ACCIDENTAL DISABILITY RETIREMENT

Frank Kingman – Last day worked 10/11/07 – Pension effective 11/01/07  
 Tim Peterson – Last day worked 10/30/07 – Pension effective 11/01/07

##### E. DEFERRED RETIREMENT OPTION PLAN

Joseph L. Bermudez – Election to participate in the DROP 10/31/07  
 Kimberly Fister – Election to participate in the DROP 10/31/07

##### F. PRE-EMPLOYMENT PHYSICAL REQUIREMENT

DOH

PSPRS: 07/05/07 Class 07-3

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Altman, Eric	Passed Pre-Employment physical
Arnold, Adrian	Passed Pre-Employment physical
Brown, Toriano	Passed Pre-Employment physical
Burnett, Clark	Passed Pre-Employment physical
Carpenter, Travis	Passed Pre-Employment physical
Danaher, Ryan	Passed Pre-Employment physical
Davila, Lisa	Passed Pre-Employment physical
Ferg, Stephen	Passed Pre-Employment physical
Foster, Aaron	Passed Pre-Employment physical
Friedman, Yoel	Passed Pre-Employment physical
Gillespie, Parrish	Passed Pre-Employment physical
Gradillas, Richard	Passed Pre-Employment physical
Hearne, Robert	Passed Pre-Employment physical
Jost, Michael	Passed Pre-Employment physical
Mesa, Alfredo	Passed Pre-Employment physical
Meza, Rene	Passed Pre-Employment physical
Miller, Bradley	Passed Pre-Employment physical
Morales, Richard	Passed Pre-Employment physical
Nace, Gabriel	Passed Pre-Employment physical
Nottingham, Patrick	Passed Pre-Employment physical
Parkinson Israel	Passed Pre-Employment physical
Peak, Matthew	Passed Pre-Employment physical
Perkins, Stephen	Passed Pre-Employment physical
Pluchinski, Lori	Passed Pre-Employment physical
Powell, Daniel	Passed Pre-Employment physical
Rosebeck, Gary	Passed Pre-Employment physical
Schladweiler, Todd	Passed Pre-Employment physical
Sherman, Stuart	Passed Pre-Employment physical
Tran, Peter	Passed Pre-Employment physical
Truesdell, Anthony	Passed Pre-Employment physical
Valenzuela, Vincent	Passed Pre-Employment physical
Voss, Corey	Passed Pre-Employment physical
Wrightman, Meghen	Passed Pre-Employment physical
Williamson, Daryl	Passed Pre-Employment physical

- G. EXPENDITURE STATEMENT IN THE AMOUNT OF \$500.00 FOR ANNUAL PHYSICAL for Frank Kingman and Tim Peterson by Dr. Dennis Thrasher at Sunnyside Medcenter
- H. APPLICATION FOR SEPARATION/REFUND OF CONTRIBUTIONS  
Michael Mare – 40,578.60 refund of Contributions from Tucson Police Department. Separation Date: 10/12/07

I. TRANSFER OF SERVICE

Cheryl Ryan – from Tucson Police to AZ State Capitol Police – 8.2273 years  
Nikola Zovko – from Tucson Police to Pinal County Sheriff – 1.4237 years

J. REDEMPTION OF PRIOR SERVICE

Roger Nusbaum – 4.413 years of service from Green River and Rock Springs in the amount of \$76,149.00  
Fernando Valencia – 2.919 years of service from Pima County – CORP in the amount of \$84,239.00

K. RETAINER FEE OF \$400 PLUS COSTS-DAVID McEVOY, ATTORNEY

**MOTION** by Mr. Gurr, seconded by Mr. Kragnes that Police Board Items A – K are adopted and the appropriate action taken. Motion **CARRIED** by a roll call vote of 4-0. (Mr. Ladenburg Absent/Excused).

5. FIRE CONSENT AGENDA: ITEMS A – E

A. MINUTES FOR APPROVAL – 10/08/07

B. PENSION PAYROLL – No change.

C. REDEMPTION OF PRIOR SERVICE

Linda Wekenborg – from Tucson Supplemental Retirement System to Tucson Fire 1.186 Years in the amount of \$20,894.00.

D. NOTIFICATION OF AND ACCEPTANCE OF CO-GUARDIANS  
AN ADULT INCAPACITATED PERSON

Betty Phillips and Shelley J. Phillips-Ortiz for Cameron Phillips

E. RETAINER FEE OF \$400 PLUS COSTS-DAVID McEVOY, ATTORNEY

**MOTION** by Mr. McKendrick, seconded by Mr. Tamietti that Fire Board Items A – E are adopted and the appropriate action taken. Motion **CARRIED** by a roll call vote of 4-0. (Mr. Ladenburg Absent/Excused).

6. APPLICATION FOR DISABILITY RETIREMENT EXECUTIVE SESSION

Discussion or consideration of records exempt by law from public inspection A.R.S.

**38-431.03[2] and discussion or consultation for legal advice with attorney staff  
A.R.S. 38-431.03 (A [3 & 4])**

Police – Attachments  
James Parks

There was no executive session.

**7. APPLICATION FOR DISABILITY RETIREMENT  
Direction regarding Executive Session**

Police  
James Parks

**MOTION** by Mr. Gurr, seconded by Mr. Kragnes that based on the medical evidence provided and letter by Dr. Thrasher dated November 1, 2007 the board approve the application for temporary disability retirement for Mr. James Parks to be effective upon separation from the Police Department. Motion **CARRIED** unanimously.

**8. APPLICATION FOR DISABILITY RETIREMENT EXECUTIVE SESSION  
Discussion or consideration of records exempt by law from public inspection A.R.S.  
38-431.03[2] and discussion or consultation for legal advice with attorney staff  
A.R.S. 38-431.03 (A [3 & 4])**

Police – Attachments  
Caroline Stover

There was no executive session.

**9. APPLICATION FOR DISABILITY RETIREMENT  
Direction regarding Executive Session**

Police  
Caroline Stover

**MOTION** by Mr. Gurr, seconded by Mr. Kragnes that Ms. Stover make an appointment with the Board Physician for a review to determine if she is eligible for a Permanent Accidental Disability retirement. Motion **CARRIED** unanimously

- 10. NOTIFICATION FROM ATTORNEY GENERAL'S OFFICE REGARDING APPLICATION FOR DISABILITY RETIREMENT EXECUTIVE SESSION**  
**Discussion or consideration of records exempt by law from public inspection A.R.S. 38-431.03[2] and discussion or consultation for legal advice with attorney staff A.R.S. 38-431.03 (A [3 & 4])**

Police - Attachments  
Jack Wixon

There was no executive session.

- 11. NOTIFICATION FROM ATTORNEY GENERAL'S OFFICE REGARDING APPLICATION FOR DISABILITY RETIREMENT**  
**Direction regarding Executive Session**

Police  
Jack Wixon

This item was for information only no action took place.

- 12. COMPLIANCE WITH FINANCIAL AUDITS – RULE 18**  
**EXECUTIVE SESSION Discussion or consideration of records exempt by law from public inspection A.R.S. 38-431.03[2] and discussion or consultation for legal advice with attorney staff A.R.S. 38-431.03 (A [3 & 4])**

Police & Fire - Attachments

There was no executive session.

- 13. COMPLIANCE WITH FINANCIAL AUDITS – RULE 18**  
**Board Direction Regarding Executive Session**

Police & Fire - Attachments

**WITHOUT OBJECTION** this item was continued until next month.

- 14. BOARD STAFF**

Police & Fire - Attachment

**WITHOUT OBJECTION** this item was continued until next month.

## **15. POLICE AND FIRE BUDGET**

Police & Fire - Attachments

**WITHOUT OBJECTION** this item was continued until next month.

## **16. FUND INFORMATION**

Police & Fire

There was no fund information.

## **17. ADJOURNMENT: 10:33 a.m.**

Police

**MOTION** by Mr. Gurr, seconded by Mr. Kragnes to adjourn the Police Board.

Fire

**MOTION** by Mr. McKendrick, seconded by Mr. Tamietti to adjourn the Fire Board.

The next regular meeting of the Tucson Police and Fire Public Safety Personnel Retirement System Boards is scheduled for **9:00 A.M.** on Tuesday, December 11, 2007, in the Finance Department Conference Room, Fifth floor of City Hall, 255 W. Alameda, Tucson, AZ.

